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REMARKS

Applicants wish to thank the Examiner for the attention accorded to the instant application. Claims 47, 50, 65 and 113-115 have been canceled. Claim 111 has been amended to correct dependency. Applicants respectfully request reconsideration of pending claims 1,3,9,10,13,17,28-31,68,69 and 102-112 in light of the following remarks.

With respect to the Examiner's double patenting rejections, Applicants will submit a suitable terminal disclaimer if the herein amendments are acceptable by the Examiner.

The Examiner's rejections of independent claims 1, 68 and 102 under 35 U.S.C. §103(a) variously based on Weber et al US Patent No. 5,686,979 ("Weber") or Sakata US Patent No. 4,729,640 in view of Sharp et al. US Patent No. 5,528,393 ("Sharp") is respectfully traversed.

Sharp describes split-element tunable color filters for use in differential absorption detectors, wavelength division multiplexing, optical fiber communication, multi-spectral imaging, fluorescence detectors, and color generators (column 16, line 64 - column 16, line 2. In no way is there any suggestion to use the device claimed in the present invention in claims 1, 68 and 102, and the claims dependant therefrom, an electro-optical glazing structure having reflection and transmission modes of operation for selectively reflecting and transmitting electromagnetic radiation.

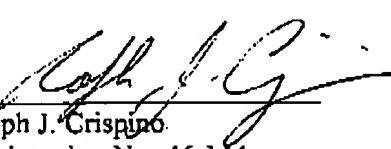
The Examiner has not pointed to any motivational statements in any of the cited art for introducing art related to split-element tunable color filters as described in Sharp in reflective and transmissive optical panels as described in Weber. Since the outstanding

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rejections of all of the pending claims rely on Sharp, Applicants respectfully request that the Examiner withdraw his 35 U.S.C. §103(a) rejection.

The amendments herein do not introduce any new matter. It is believed that the claims herein should be allowable to Applicants. Accordingly, allowance is respectfully requested.

Respectfully submitted,

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